

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Evans, Robert K. et al.

Serial No.	10/791	,503
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Filed: March 2, 2004

For: ADENOVIRUS FORMULATIONS

Art Unit:	1648		
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Examiner:

Blumel, Benjamin P.

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By Slee Or Date 10-3-06

RELATED APPLICATION

FILING DATE

MERCK CASE

INFORMATION DISCLOSURE STATEMENT

ı	5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited
by the	Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120
are no	t enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

U. S. SERIAL NUMBER

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If th	this is inconvenient, additional copies will be submitted upon request.					
	6. In accordance with 37 C.F.R. 1.97, (check one)					
	the attached information is filed within three months of the filing date of the	e captioned case.				
\checkmark	the attached information is filed more than three months after the filing da Office Action on the merits.	ate but prior to the ma	ailing of a first			
	the attached information is filed before the mailing of a first Office action a examination under §1.114.	after the filing of a re	quest for continued			
	the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).					
	each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.					
	each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.					
	no item of information contained in this Information Disclosure Statement foreign patent office in a counterpart foreign application, and, to the knowleafter making reasonable inquiry, was known to any individual designated months prior to the filing of this Statement.	ledge of the person	signing the certification			

By: Sheldon O. Heber

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Respectfully submitted,

Date: October 3, 2006

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Substitute for form 1449A/PTO *		
INFORMATION DISCLOSURE	Application Number	10/791,503
OT PENDENT DV ADDI ICANT	Filing Date	March 2, 2004
STATEMENT BY APPLICANT	First Named Inventor	Evans, Robert K. et al.
QCT 0 6 2006 (use as meny sheets as necessary)	Group Art Unit	1648
The same of the sa	Examiner Name	Blumel, Benjamin P.
Sheet 1 of 1	Attorney Docket Number	20634YCA

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)		Date of Publication of Cited Document MM-DD-YYYY	
		2005/0186225		Evans, R. et al.	08/25/2005	
				14-2-944		
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FOREIGN PATENT DOCUMENTS						
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Examiner Initials*	Cite No.	Office	Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY
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Examine Signatur	er re			•	Date Considered	

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.